

November 19, 2004

BY COURIER

Ms. Rhea Troffkin
Berger & Altman
Crystal Park Two
2121 Crystal Drive, Suite 703
Arlington, Virginia
U.S.A. 22202

Dear Rhea:

Re: United States Patent Application No. 10/787,201
Title: SYSTEM AND METHOD FOR DELIVERY OF PACKETS
Filed: February 27, 2004
First Named Inventor: DUNK, Craig Allan
Our Ref.: 30889-2004

Enclosed herewith please find:

- (a) a Transmittal Form; and
- (b) an Information Disclosure Statement by Applicant, together with copies of cited documents.

Please attend at the U.S. Patent and Trademarks office and file the enclosed materials no later than **November 22, 2004**.

Kindly provide us with confirmation that the documents have been filed by email to my assistant Cynthia Pascual at cpascual@torys.com. Please be sure to quote our above-referenced file number on your account.

We thank you for your assistance in this matter and look forward to hearing from you in due course.

Yours very truly,



Ted A. Chan

AC/TC/cp
Encls.



51720

PTO/SB/21 (09-04)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

112

Application Number

10/787,201

Filing Date

February 27, 2004

First Named Inventor

DUNK, Craig Allan

Art Unit

2661

Examiner Name

N/A

Attorney Docket Number

30889-2004

ENCLOSURES (Check all that apply)

☐

Fee Transmittal Form

☐

Fee Attached

☐

Amendment/Reply

☐

After Final

☐

Affidavits/declaration(s)

☐

Extension of Time Request

☐

Express Abandonment Request

☒

Information Disclosure Statement

☐

Certified Copy of Priority Document(s)

☐

Reply to Missing Parts/
Incomplete Application

☐

Reply to Missing Parts
under 37 CFR 1.52 or 1.53

☐

Drawing(s)

☐

Licensing-related Papers

☐

Petition

☐

Petition to Convert to a
Provisional Application

☐

Power of Attorney, Revocation
Change of Correspondence Address

☐

Terminal Disclaimer

☐

Request for Refund

☐

CD, Number of CD(s) _____

☐ Landscape Table on CD

☐

After Allowance Communication to TC

☐

Appeal Communication to Board
of Appeals and Interferences

☐

Appeal Communication to TC
(Appeal Notice, Brief, Reply Brief)

☐

Proprietary Information

☐

Status Letter

☐

Other Enclosure(s) (please identify
below):

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name

TORYS LLP, Customer No. 33,721

Signature

Printed name

Ted A. Chan

Date

November 19, 2004

Reg. No.

46,609

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature

Typed or printed name

Ted A. Chan, Reg. No. 46,609

Date

November 19, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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30889.2004

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Craig Allan DUNK

U.S. Application No.: 10/787,201

Filed: February 27, 2004

For: SYSTEM AND METHOD FOR DELIVERY OF
PACKETS

)
) Examiner: Unassigned
)
) Group Art Unit: 2661
)
) Confirmation No.: 4692
)
) Date submitted: November 19, 2004
)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

In compliance with the duty of disclosure under 37 CFR § 1.56 and in accordance with the practices of 37 CFR §§ 1.97 and 1.98, the Examiner's attention is directed to the documents listed on the attached Form PTO-1449. Also attached are copies of any non-US patent document(s) for the convenience of the Examiner.


In accordance with 37 CFR §1.97(h), this Information Disclosure Statement ("IDS") is not to be construed as an admission that the information cited is, or is considered to be, material to patentability as defined in 37 CFR §1.56(b), nor an admission that information cited constitutes prior art within the meaning of 35 USC §§ 102 and/or 103.

It is respectfully requested that the information presented on the Form PTO-1449 be considered by the Examiner, and that an initialed copy thereof be returned to Applicant indicating that such information has been considered.

No fee is necessary for entry and consideration of the IDS, as no first Office Action on the merits has issued.

The Examiner should feel free to contact Applicant's undersigned attorney by telephone at (416) 865.7951 at any time deemed necessary. Please continue to forward all correspondence to the below address.

Respectfully submitted,



Attorney for Applicant
Ted A. Chan
Registration No. 46,609

TORYS LLP
Suite 3000
79 Wellington Street West
Box 270, TD Centre
Toronto, Ontario
M5K 1N2 Canada
Facsimile: (416) 865.7380

NOV 26 2004

PTO/SB/08a (08-03)

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Substitute for form 449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet	1	of	2
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Complete if Known

Application Number	10/787,201
Filing Date	February 27, 2004
First Named Inventor	DUNK, Craig Allan
Art Unit	2661
Examiner Name	N/A
Attorney Docket Number	30889-2004

U.S. PATENT DOCUMENTS

[illegible]

FOREIGN PATENT DOCUMENTS

[illegible]

**Examiner
Signature**

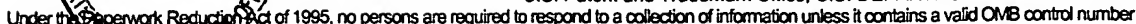
Date Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Substitute for form 1449B/PTO

(Use as many sheets as necessary)

Sheet

2

Q

2

Complete if Known

Application Number

10/787.201

Filing Date

February 27, 2004

First Named Inventor

DUNK. Craig Allan

Art Unit

2661

Examiner Name

N/A

Attorney Docket Number

30889-2004

NON PATENT LITERATURE DOCUMENTS

**Examiner
Signature**

Date _____

Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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